

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SAMANTHA DAWN
WHITACRE and SCOTT ANTHONY
WHITACRE, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SANDRA DELORES MCGARVEY,

Respondent-Appellant.

UNPUBLISHED

September 29, 2005

No. 260300

Wayne Circuit Court

Family Division

LC No. 99-381936-NA

Before: Saad, P.J., and Jansen and Markey, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(b)(i), (g), (i), (j), and (l). This appeal is being decided without oral argument pursuant to MCR 7.214(E). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich331, 337; 445 NW2d 161 (1989). Respondent did not contest that her parental rights had previously been terminated to three other children, and the evidence indicated that respondent relapsed to her past history of drug abuse, rendering her behavior erratic and violent.

Further, the evidence did not show that termination of respondent's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Respondent made no claim that termination was against the children's best interests and the record would not have supported such a claim.

We affirm.

/s/ Henry William Saad

/s/ Kathleen Jansen

/s/ Jane E. Markey